

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

MARK L. KROTOSKI (CABN 138549)
Chief, Criminal Division

KIRSTIN M. AULT (CABN 206052)
Assistant U.S. Attorney

450 Golden Gate Ave., Box 36055
San Francisco, CA 94102
Telephone: (415) 271-3059
Facsimile: (415) 436-7234

E-filing

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN PAUL LINDER
a/k/a EDWARD SUAREZ,

Defendant.

07-70148
CRIMINAL NO.

WDB

NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure that on or about March 9, 2007, the above-named defendant was arrested based upon an arrest warrant (copy attached) issued in case number 03CR293-L in the Southern District of California, upon an

☐ Indictment

☐ Information

☐ Criminal Complaint

☒ Other (describe): Supervised Release Violation Petition

1 In that case, the defendant is charged with a violation of Title 18, United States Code,
2 Section 3583, violation of conditions of supervised release.

3 Description of Charges: Defendant committed multiple violations of supervised release,
4 including committing a new violation of law, resisting arrest, failure to notify probation officer of
5 his arrest, failing to submit a complete and accurate written report.

6 Maximum Penalties: 2 years imprisonment, additional term of supervised release
7 (statutory maximum of life, less the term of imprisonment imposed upon revocation).

8
9 Respectfully Submitted,

10 SCOTT N. SCHOOLS
11 UNITED STATES ATTORNEY

12
13 Date: 3-12-07

14 
15 KIRSTIN M. AULT
16 Assistant U.S. Attorney
17
18
19
20
21
22
23
24
25
26
27
28

AO 442

173668

N/C

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

WARRANT FOR ARRESTJONATHAN PAUL LINDER
CHARGED AS EDWARD SUAREZ

CASE NUMBER: 03CR293-L

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

JONATHAN PAUL LINDER

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice☒ Probation Violation Petition☐ Pretrial Violation

charging him or her with (brief description of offense)

21:952 AND 960

May 22 11 51 AM '06

In violation of Title See Above United States Code, Section(s) _____

W. Samuel Hamrick, Jr.

Name of Issuing Officer

Clerk of the Court

Title of Issuing Officer

Arvaunti Victoria

Signature of Deputy

5/19/06 SAN DIEGO

Date and Location

Bail fixed at \$ NO BAIL by The Honorable M. JAMES LORENZ

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

Class I "D"

Locke

Due 5/24

PROB 12C
(04/05)

May 16, 2006

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jonathan Paul LINDER (English)
Charged As: Edward Suarez

Dkt No.: 03-CR-0293-001-1
DEPUTY

Reg. No.: 84052-198

Name of Sentencing Judicial Officer: The Honorable M. James Lorenz, U.S. District Judge

Date of Sentence: July 25, 2003

Original Offense: 21 U.S.C. §§ 952 and 960, Importation of Marijuana, a Class B felony.

Sentence: 24 months custody, 4 years supervised release (*Special Conditions: not possess firearms; submit to search; not operate a motor vehicle unless properly licensed; not enter or reside in the Republic of Mexico without the permission of the Court or probation officer; report all vehicles owned and operated; and resolve all outstanding warrants within 120 days*). \$100 special assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: November 10, 2004

Asst. U.S. Atty.: Kevin M. Mulcahy

Defense Counsel: Carey Caruso (Retained)
(310) 553-8580

Prior Violation History: None

PETITIONING THE COURT

TO ISSUE A NO-BAIL BENCH WARRANT

PROB 12C

Name of Offender: Jonathan Paul LINDER

May 16, 2006

Docket No.: 03-CR-0293-001-L

Page 2

The probation officer believes that the offender has violated the following conditions of supervision:

CONDITIONS

ALLEGATIONS OF NONCOMPLIANCE

(Mandatory Condition)

Not commit another federal, state, or local crime. (nv/)

1. On January 12, 2006, Mr. Linder resisted arrest, in violation of California Penal Code § 148, as evidenced by Contra Costa County Sheriff's Department arrest report No. 06-1077.

(Standard Condition)

Notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer. (nv/)

2. Mr. Linder failed to notify his probation of his law enforcement contacts occurring on January 12 and 13, 2006.

(Standard Condition)

Report to the probation officer and submit a truthful and complete written report within the first five days of the month. (nv/)

3. Mr. Linder failed to report his law enforcement contacts occurring on January 12, and 13, 2006, on his written report for January 2006.

Grounds for Revocation: As to the above-three allegations, I have received and reviewed the Contra Costa County Sheriff's Department arrest report No. 06-1077 which confirms the following: On January 12, 2006, Mr. Linder was observed by a sheriff's deputy riding a bicycle without a light. Mr. Linder did not obey the deputy's repeated commands to stop and was finally stopped and taken into custody with the assistance of a police dog. After receiving medical treatment for dog bite wounds, he was cited and released from custody. On January 13, 2006, Mr. Linder went to the sheriff's station to claim his property. At the station the offender was uncooperative and refused to sign his name on the property cards writing, "without prejudice without recourse" on both cards. Not only did Mr. Linder failed to report both law enforcement contacts to his probation officer within the required 72 hour time-frame, but he failed to list the contacts on his monthly report for January 2006, as required. Attempts by the probation officer to contact Mr. Linder have been unsuccessful and his whereabouts is unknown.

Recent contact with the Contra Costa County District Attorney's Office reveals they have not filed any charges in connection with the incident, and the case is still under review.

PROB 12C

Name of Offender: Jonathan Paul LINDER

May 16, 2006

Docket No.: 03-CR-0293-001-L

Page 3

U.S. Probation Officer Recommendation: If found in violation, that supervised release be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 16, 2006

Respectfully submitted:

Reviewed and approved:

by

E. Peter Nover
U.S. Probation Officer
(619) 557-5759

Julia Jauregui
Supervising U.S. Probation Officer

Attachments

THE COURT ORDERS:

☒ A NO-BAIL BENCH WARRANT BE ISSUED BASED UPON A FINDING OF PROBABLE CAUSE TO BRING THE OFFENDER BEFORE THE COURT TO SHOW CAUSE WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED FOR THE ALLEGED VIOLATIONS.

☐ Other _____

The Honorable M. James Lorenz
U.S. District Judge

5/18/06
Date

PN/

I hereby attest and certify on 5/19/06
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By [Signature] Deputy